

MINUTES

ALCOHOL AND TOBACCO COMMISSION

JANUARY 6, 2009

CALL TO ORDER/NOTING OF QUORUM

Chairman Huskey called the meeting to order and noted the quorum and the attendance. Present were Commissioner Guthrie and Commissioner Sturtz. Also in attendance was Superintendent Poindexter.

Jeff McKean, Bart Herriman, Marc Carmichael, Brad Klopfenstein, Nicole Upano, Connie Vickery and Trevor Vance were present as observers.

DISPOSITION OF MINUTES

Commissioner Sturtz moved to approve the minutes that were submitted for the December 16, 2008 meeting. Motion seconded by Commissioner Guthrie and it was unanimously approved.

HEARING JUDGE'S RECOMMENDATIONS

PAD FORMS – Commissioner Guthrie moved to approve the parties agreed disposition forms that were submitted for the January 6, 2009 meeting. Motion seconded by Commissioner Sturtz and it was unanimously approved.

CONSIDERATION OF APPLICATIONS

I incorporate by reference these lists of permits for renewal, which have been recommended by local boards and reviewed by said staff with the authority of the Commission, and hereby move for approval of same and the inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Guthrie and it was unanimously approved.

I incorporate by reference these lists of permit applications for a new permit or application for changes in location or ownership or both of existing permits, which have been recommended by local boards and reviewed by at least two Commissioners and hereby move for approval of same and inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Guthrie and it was unanimously approved.

I incorporate by reference these lists of permit applications for catering and hereby move for approval of same and the inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Guthrie and it was unanimously approved.

I incorporate by reference these lists of permits to be placed in escrow for not more than one year, which have been reviewed and recommended by a Commissioner as appropriate for first or second year escrow and hereby move for approval of same and the

inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Guthrie and it was unanimously approved.

Four hundred seventy-seven (477) renewals approved, thirty-three (33) new and/or transfer permits approved, three (3) permits approved for catering, four (4) permits approved for first year escrow, five (5) permits approved for second year escrow, one (1) permit approved for third year escrow and two (2) permits approved for fifth year escrow.

RENEWAL LETTERS AND WAIVER OF FEES

Commissioner Guthrie moved to approve the renewal letters and the waiver of fees for letters of extension for the preceding weeks. Motion seconded by Commissioner Sturtz and it was unanimously approved.

APPLICATIONS FOR DISCUSSION

RR49-18848 CHURCH & CHURCH LIMITED - Commissioner Guthrie stated this permit is owned by a husband and wife. They have divorced. The court has awarded the right, title and ownership to the husband. The wife would like for her name to be removed from the license, for fear of any liability may be incurred with this permit. However, the ex-husband is not willing to cooperate.

Commissioner Guthrie moved to remove the wife's name from the license. Motion seconded by Commissioner Sturtz and it was unanimously approved.

DL23-23580 PAMIDA STORES OPERATING CO., LLC – Commissioner Guthrie noted this matter was tabled at the last meeting due to the fact that no audio recording was made of the local board meeting. At this time, all of the information has not been provided to the parties regarding the record.

Commissioner Guthrie moved to table this matter until the parties have had the opportunity to review the record. Motion seconded by Commissioner Sturtz and it was unanimously approved.

INACTIVE FILES

PERMITS MADE INACTIVE – Commissioner Guthrie moved to make six (6) permits inactive. All six permits are not subject to auction. Motion seconded by Commissioner Sturtz and it was unanimously approved.

OLD BUSINESS

No Old Business

NEW BUSINESS

No New Business

POLICY DETERMINATIONS

No Policy Determinations

ANNOUNCEMENTS

No Announcements

ADJOURNMENT

Commissioner Sturtz moved to adjourn the meeting. Motion seconded by Commissioner Guthrie and it was unanimously approved.

Approved this _____ day of _____, 2009.

ALEX HUSKEY, CHAIRMAN

DAVID JOHNSON, VICE CHAIR

DALE STURTZ, COMMISSIONER

FRANK GUTHRIE, COMMISSIONER